



LAWS OF ALASKA

2002

Source

SCS CSHB 525(FIN) am S

Chapter No.

114

AN ACT

Providing for and relating to the issuance of state guaranteed transportation revenue anticipation bonds in a principal amount of not more than \$102,805,000 for the purpose of paying the cost of transportation projects that qualify for federal highway aid and the allocation of those bond proceeds; relating to the issuance of general obligation bonds in a principal amount of not more than \$123,914,500 for the purpose of paying the cost of state transportation projects; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Providing for and relating to the issuance of state guaranteed transportation revenue
2 anticipation bonds in a principal amount of not more than \$102,805,000 for the purpose of
3 paying the cost of transportation projects that qualify for federal highway aid and the
4 allocation of those bond proceeds; relating to the issuance of general obligation bonds in a
5 principal amount of not more than \$123,914,500 for the purpose of paying the cost of state
6 transportation projects; and providing for an effective date.

7 _____
8 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
9 to read:

10 BOND AUTHORIZATION. For the purpose of paying the cost of accelerated
11 transportation projects in this state that qualify for federal highway aid, state guaranteed
12 transportation revenue anticipation bonds of the state in the principal amount of not more than
13 \$102,805,000 shall be issued and sold if ratified by a majority of the qualified voters of the

1 state who vote on the question.

2 * **Sec. 2.** The uncoded law of the State of Alaska is amended by adding a new section to
3 read:

4 PLEDGE OF STATE CREDIT. The full faith, credit, and resources of the state are
5 pledged to the payment of the principal and interest and redemption premium, if any, on the
6 bonds authorized in sec. 1 of this Act. However, it is the intent of the legislature that, to the
7 extent permitted by federal law, the principal and interest on the bonds shall be repaid with
8 appropriations made from federal highway aid granted to the state under the Transportation
9 Equity Act for the 21st Century (P.L. 105-178) or any other subsequently enacted federal law
10 providing federal highway aid for this purpose and with any interest earned from the
11 investment of bond proceeds if permitted by federal law. The bonds shall be issued under the
12 provisions of AS 37.15 as those provisions read at the time of issuance.

13 * **Sec. 3.** The uncoded law of the State of Alaska is amended by adding a new section to
14 read:

15 BOND PROCEEDS FUND ESTABLISHED. If the issuance of the bonds described
16 in sec. 1 of this Act is ratified by a majority of the qualified voters of the state who vote on the
17 question, a special fund of the state to be known as the "accelerated Alaska transportation
18 projects fund" shall be established, to which shall be credited the proceeds of the sale of those
19 bonds, except for the accrued interest owed to bondholders. The fund may be invested as
20 provided in AS 37.10.071, and any earnings shall be retained in the fund and are considered
21 bond proceeds.

22 * **Sec. 4.** The uncoded law of the State of Alaska is amended by adding a new section to
23 read:

24 BOND PROJECT ALLOCATIONS. The amount of \$102,805,000 is appropriated
25 from the accelerated Alaska transportation projects fund to the Department of Transportation
26 and Public Facilities to be allocated among the following projects in the amounts listed,
27 subject to reallocation between projects in accordance with AS 37.07.080(e):

| PROJECT | ALLOCATION |
|--|--------------|
| (1) Bethel: Ptarmigan Street Improvement | \$ 1,480,000 |
| (2) Fairbanks: Richardson Highway/North Pole Interchange | 16,100,000 |
| (3) Seward: Nash Road Rehabilitation | 2,600,000 |

| | | |
|----|---|------------|
| 1 | (4) Anchorage: C Street Phase III, Dimond Blvd. to | 36,100,000 |
| 2 | O'Malley Road, including interchange at O'Malley | |
| 3 | Road and a grade separation for the Alaska Railroad | |
| 4 | near 68th Avenue and C Street | |
| 5 | (5) Kenai Peninsula: Kenai River Bridge | 28,000,000 |
| 6 | (6) Ketchikan: South Tongass Highway Widening and | 5,000,000 |
| 7 | Path Extension, Phase I | |
| 8 | (7) Kodiak: Chiniak Road Rehabilitation, Phase I | 6,000,000 |
| 9 | (8) Matanuska-Susitna: Seward Meridian Road, | 7,525,000 |
| 10 | Parks to Seldon Road | |

11 *** Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 COSTS OF BOND ISSUANCE. If the issuance of the bonds described in sec. 1 of
14 this Act is ratified by a majority of the qualified voters of the state who vote on the question,
15 the amount of \$514,025, or as much of that amount as is found necessary, is appropriated
16 from the general fund of the state to the state bond committee to carry out the provisions of
17 secs. 1 - 7 of this Act and to pay expenses incident to the sale and issuance of the bonds
18 authorized by sec. 1 of this Act. The amounts expended from the appropriation authorized by
19 this section shall be reimbursed to the general fund from the proceeds of the sale of the bonds
20 authorized by sec. 1 of this Act.

21 *** Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 REIMBURSEMENT OF STATE MONEY. The amount withdrawn from the public
24 facility planning fund (AS 35.10.135) for the purpose of advance planning for the capital
25 improvements financed under secs. 1 - 7 of this Act shall be reimbursed to the fund from the
26 proceeds of the sale of the bonds authorized by sec. 1 of this Act.

27 *** Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
28 read:

29 BOND REDEMPTION. The unexpended and unobligated balance allocated for
30 projects in sec. 4 of this Act lapses under AS 37.25.020 and is appropriated to the state bond
31 committee to redeem bonds sold under sec. 1 of this Act. The amounts expended from the

1 general fund to pay the principal, interest, and redemption premium on bonds issued under
2 sec. 1 of this Act shall be reimbursed to the general fund from the appropriation made in this
3 section to the extent that the money is not needed to redeem the bonds.

4 * **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 GENERAL OBLIGATION BONDS. For the purpose of paying the cost of state
7 transportation projects, general obligation bonds of the state in the principal amount of not
8 more than \$123,914,500, if ratified by a majority of the qualified voters of the state who vote
9 on the question, shall be issued and sold. The full faith, credit, and resources of the state are
10 pledged to the payment of the principal of and interest and redemption premium, if any, on
11 the bonds. The bonds shall be issued under the provisions of AS 37.15 as those provisions
12 read at the time of issuance.

13 * **Sec. 9.** The uncodified law of the State of Alaska is amended by adding a new section to
14 read:

15 TRANSPORTATION PROJECT FUND. If the issuance of the bonds described in
16 sec. 8 of this Act is ratified by a majority of the qualified voters of the state who vote on the
17 question, a special fund of the state to be known as the "transportation project fund" shall be
18 established, to which shall be credited the proceeds of the sale of the bonds described in sec. 8
19 of this Act except for the accrued interest and premiums.

20 * **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to
21 read:

22 TRANSPORTATION PROJECT ALLOCATION. (a) The amount of \$123,914,500
23 is appropriated from the transportation project fund to the Department of Transportation and
24 Public Facilities to be allocated among the following projects in the amounts listed subject to
25 reallocation between projects in accordance with AS 37.07.080(e):

| PROJECT | ALLOCATION |
|--|---------------|
| (1) Anchorage: Abbott Loop Extension and Reconstruction, Abbott Road to 48th Avenue | \$ 37,500,000 |
| (2) Donlin Creek: Donlin Creek Access Road | 4,000,000 |
| (3) Fairbanks: Downtown Street Improvements | 8,000,000 |
| (4) Kenai Peninsula: North Kenai Spur Road, MP 22 | 10,612,000 |

| | | |
|----|--|------------|
| 1 | to 29.7 Repavement | |
| 2 | (5) Ketchikan: Ketchikan Gateway Borough Road | 600,000 |
| 3 | Surface Treatment | |
| 4 | (6) Ketchikan: North Tongass Highway, Ward Cove to | 1,900,000 |
| 5 | Whipple Creek Widening/Realign | |
| 6 | (7) Kotzebue: Ted Stevens Way Reconstruction | 4,400,000 |
| 7 | (8) Matanuska-Susitna: Old Glenn Highway, MP 0 | 13,225,000 |
| 8 | to 18.6 Rehabilitation | |
| 9 | (9) Nome: Bering Street, Seppala Drive, and Front Street | 5,090,000 |
| 10 | Rehabilitation and Front Street Safety and | |
| 11 | Enhancements | |
| 12 | (10) Sitka: Sawmill Creek Road Upgrade, Phase I | 5,500,000 |
| 13 | (11) Wasilla: South Church Road | 1,200,000 |
| 14 | (12) Whittier Harbor Renovation | 2,449,000 |
| 15 | (13) Seldovia Harbor Renovation | 2,628,000 |
| 16 | (14) Petersburg (Middle and South Harbors) Renovation | 3,729,000 |
| 17 | (15) Juneau (Auke Bay Harbor, Aurora Harbor, Harris | 7,119,000 |
| 18 | Harbor, Douglas Harbor and Dock, North Douglas | |
| 19 | Launch Ramp, Taku Harbor) Renovation | |
| 20 | (16) Ketchikan (Thomas Basin Harbor, Ryus Float, | 3,938,000 |
| 21 | Bar Harbor North, Hole-in-the-Wall Harbor, | |
| 22 | Knudson Cove Harbor) Renovation | |
| 23 | (17) Sitka (Thomas Harbor, Crescent Harbor, Sealing | 2,234,500 |
| 24 | Cove Harbor) Renovation | |
| 25 | (18) Cordova (Cordova Harbor) Renovation | 4,876,000 |
| 26 | (19) Wrangell (Standard Harbor, Reliance Float, Inner | 3,492,000 |
| 27 | Harbor Fish and Game Dock, Shoemaker Harbor) | |
| 28 | Renovation | |
| 29 | (20) Yakutat (Yakutat Harbor) Renovation | 526,000 |
| 30 | (21) Klawock (Klawock Harbor and Seaplane Float) | 896,000 |
| 31 | Renovation | |

1 (b) The port and harbor facilities described in (a) of this section that are currently
2 owned by the state are in need of substantial investment in capital maintenance and upgrades.
3 The legislature intends to provide for the required investment, and intends transfer of ultimate
4 ownership of and responsibility for the state-owned harbor facilities to the municipalities in
5 which they are located.

6 * **Sec. 11.** The uncoded law of the State of Alaska is amended by adding a new section to
7 read:

8 STATE BOND COMMITTEE. If the issuance of the bonds under sec. 8 of this Act is
9 ratified by a majority of the qualified voters of the state who vote on the question, the amount
10 of \$619,573 or as much of that amount as is found necessary is appropriated from the general
11 fund of the state to the state bond committee to carry out the provisions of secs. 8 - 13 of this
12 Act and to pay expenses incident to the sale and issuance of the bonds authorized in sec. 8 of
13 this Act. The amounts expended from the appropriation authorized by this section shall be
14 reimbursed to the general fund from the proceeds of the sale of the bonds authorized by sec. 8
15 of this Act.

16 * **Sec. 12.** The uncoded law of the State of Alaska is amended by adding a new section to
17 read:

18 ADVANCE PLANNING. The amount withdrawn from the public facility planning
19 fund (AS 35.10.135) for the purpose of advance planning for the capital improvements
20 financed under sec. 10 of this Act shall be reimbursed to the fund from the proceeds of the
21 sale of bonds authorized by sec. 8 of this Act.

22 * **Sec. 13.** The uncoded law of the State of Alaska is amended by adding a new section to
23 read:

24 LAPSE; REDEMPTION; REIMBURSEMENT. The unexpended and unobligated
25 balance of the appropriation made in sec. 10 of this Act lapses under AS 37.25.020 and is
26 appropriated to the state bond committee to redeem bonds sold under sec. 8 of this Act. The
27 amounts expended from the general fund to pay the principal, interest, and redemption
28 premium on bonds issued under sec. 8 of this Act shall be reimbursed to the general fund
29 from the appropriation made under this section to the extent that the money is not needed to
30 redeem the bonds.

31 * **Sec. 14.** The uncoded law of the State of Alaska is amended by adding a new section to

1 read:

2 BALLOT PROPOSITION. The question whether the bonds authorized in this Act are
3 to be issued shall be submitted to the qualified voters of the state at the next general election
4 and shall read substantially as follows:

5 PROPOSITION

6 State Guaranteed Transportation Revenue Anticipation Bonds \$102,805,000

7 State General Obligation State Transportation Project Bonds 123,914,500

8 Total Bond Authorization \$226,719,500

9 Shall the State of Alaska issue state guaranteed transportation revenue
10 anticipation bonds in the principal amount of not more than \$102,805,000 for
11 the purpose of paying the cost of accelerated Alaska transportation projects
12 qualifying for federal highway aid, and shall the State of Alaska issue general
13 obligation bonds in the principal amount of not more than \$123,914,500 for the
14 purpose of paying the cost of state transportation projects?

15 Bonds Yes []

16 Bonds No []

17 * **Sec. 15.** The uncoded law of the State of Alaska is amended by adding a new section to
18 read:

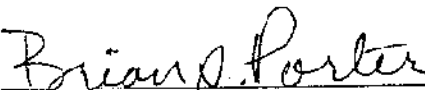
19 BALLOT STATEMENT. In addition to the information that the director of elections
20 is required to make available to the voters under AS 15.15.040(b), the director shall include a
21 statement jointly prepared by the commissioner of revenue and the legislative auditor setting
22 out an estimate of anticipated revenue derived from federal highway aid for the period for
23 which expenditure authority has been granted by the Congress of the United States.

24 * **Sec. 16.** This Act takes effect immediately under AS 01.10.070(c).

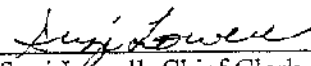
AUTHENTICATION

The following officers of the Legislature certify that the attached enrolled bill, SCS CSHB 525(FIN) am S, consisting of 7 pages, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

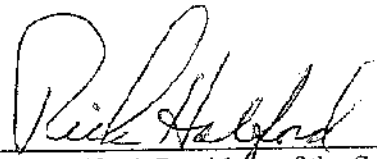
Passed by the House May 16, 2002


Brian S. Porter, Speaker of the House

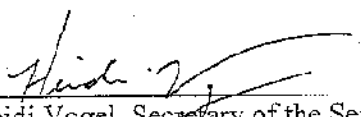
ATTEST:


Suzi Lowell, Chief Clerk of the House

Passed by the Senate May 16, 2002

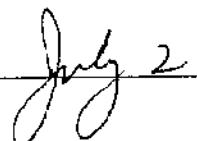
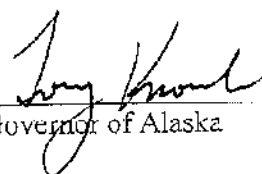

Rick Halford, President of the Senate

ATTEST:


Heidi Vogel, Secretary of the Senate

ACTION BY GOVERNOR

Approved by the Governor

 July 2 20 02

Tony Knowles, Governor of Alaska